

November 28, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Re: **VoIP E911 Compliance Report (November 28, 2005)**
McLeodUSA Telecommunications Services, Inc., WC Docket No. 05-196

Dear Secretary Dortch:

McLeodUSA Telecommunications Services, Inc., (“McLeodUSA” or “Company”), through its undersigned counsel and pursuant to Commission Rule 9.5(f), as adopted by the Federal Communications Commission’s (“FCC’s” or “Commission’s”) *VoIP E911 Order*¹ concerning the enhanced 911 (“E911”) service requirements and conditions applicable to interconnected Voice over Internet Protocol (“VoIP”) service providers, submits this Compliance Report (“Report”) to advise the Commission of the status of the Company’s efforts to provide E911 services to its customers using McLeodUSA’s Dynamic Integrated Access (“DIA”) services that use Voice Over Internet Protocol (“VoIP”), in accordance with the Commission’s rules.²

McLeodUSA continues to assert that its DIA service is not subject to Commission Rule 9.5 since it does not meet the four-pronged test adopted by the FCC in the *VoIP E911 Order*. The Integrated Access Device that is permanently installed at the customer’s location to enable DIA service is owned and operated by McLeodUSA, and therefore, part of the McLeodUSA network. Accordingly, McLeodUSA DIA service falls outside the scope of the FCC’s rule.

¹ *IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking 20 FCC Rcd. 10245 (2005) (“*VoIP E911 Order*”).

² In an effort to provide the Commission with information on McLeodUSA’s efforts to notify customers about the limitations with VoIP E911 services and obtain affirmative acknowledgements of those notifications, the Company filed three status reports with the Commission. These reports were filed in the above-referenced docket on August 10, September 1, and September 22, 2005.

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However, because McLeodUSA agrees with the importance of adequately informing its business customers of the nature of the Company's VoIP E911 service, McLeodUSA is, in the interest of its customers, following the procedures required of VoIP providers that are subject to Commission Rule 9.5, including advising the FCC of its provisioning of VoIP E911 services to its subscribers. It is also important to note, however, that McLeodUSA only assigns telephone numbers that are directly trunked to the applicable Public Safety Answering Point ("PSAP") using all standard routing protocols so that all McLeodUSA customers subscribing to DIA have E911 service today.

Pursuant to the Commission's rules, and consistent with the Public Notice issued by the Enforcement Bureau on November 7, 2005³ (the "Public Notice"), this Report details the Company's efforts to provide E911 service to customers. As requested by the Enforcement Bureau in the Public Notice, the Companies state as follows:

- 1) **A quantification, on a percentage basis, of the number of subscribers to whom the Company is able to provide 911 service in compliance with the rules established in the *VoIP 911 Order*.**

Since the initiation of its VoIP service on July 1, 2004, McLeodUSA has been able to provide compliant VoIP 911 service to 100% of the Company's VoIP subscribers.

- 2) **A detailed statement as to whether the Company is transmitting, as specified in Paragraph 42 of the *VoIP 911 Order*, "all 911 calls to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority utilizing the Selective Router, the trunk line(s) between the Selective Router and the PSAP, and such other elements of the Wireline E911 Network as are necessary in those areas where Selective Routers are utilized."**

McLeodUSA is transmitting all 911 calls to the appropriate PSAPs in accordance with Paragraph 42 of the *VoIP E911 Order*. In most cases, the calls are being transmitted indirectly via trunking ordered by McLeodUSA to the appropriate Selective Router. In one instance, however, McLeodUSA is trunked directly to the appropriate PSAP.

- 3) **If the Company is not transmitting all 911 calls to the correct answering point in areas where Selective Routers are utilized, a detailed explanation of why not.**

Not applicable. Please see McLeodUSA's response to Item 3, above.

³ *Enforcement Bureau Outlines Requirements of November 28, 2005 Interconnected Voice Over Internet Protocol 911 Compliance Letters*, WC Docket Nos. 04-36 and 05-196, Public Notice, DA 05-2945 (rel. Nov. 7, 2005).

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- 4) **The number of Selective Routers to which the Company has interconnected, directly or indirectly, as of November 28, 2005.**

As of November 28, 2005, McLeodUSA has directly interconnected to 57 Selective Routers.

- 5) **A detailed statement as to whether the Company is transmitting via the Wireline E911 Network the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information.**

McLeodUSA is transmitting, via the Wireline E911 Network, the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information.

- 6) **The percentage of how many answering points within the Company's service area are capable of receiving and processing ANI and Registered Location information that the provider transmits.**

The number and capabilities of PSAPs served behind a Selective Router is considered confidential and proprietary information to the Regional Bell Operating Companies ("RBOCs") and is generally not made privy to McLeodUSA. Quincy, IL (Adams County) is the only area specifically known to McLeodUSA that is capable of receiving ANI (Basic 911) information only (vs. Enhanced 911 ANI and Registered Location Information). Without knowing the number of PSAPs behind Selective Routers, McLeodUSA can only estimate that the percentage of PSAPs capable of receiving both ANI and Registered Location information in our service area is greater than 99%.

- 7) **The percentage of subscribers whose ANI and Registered Location are being transmitted to answering points that are capable of receiving and processing this information**

To McLeodUSA's knowledge and belief, ANI and Registered Location information is capable of being transmitted to the answering points of 99.9% of the Company's VoIP customers. One VoIP customer is located in Quincy, IL, which is known to be Basic 911 (ANI only) capable only.

- 8) **If the Company is not transmitting the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information, a detailed explanation why not.**

Not applicable. Please see McLeodUSA's response to Item 5, above.

- 9) **To the extent the Company has not achieved full 911 compliance with the requirements of the *VoIP 911 Order* in all areas of the country by November 28,**

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2005, the Company should describe in detail, either in narrative form or by map, the areas of the country, on an MSA basis, where it is in full compliance and those in which it is not.

Not applicable. As previously described, McLeodUSA's VoIP service cannot be operated nomadically, and the Company is in full compliance with the requirements of the *VoIP E911 Order* in those areas in which they provide their VoIP service.

- 10) If not in full compliance, the Company's plans for coming into full compliance with the requirements of the Order, including its anticipated timeframe for such compliance.**

Not applicable. Please see response to Items 2 and 9, above.

- 11) A detailed description of all actions the Company has taken to obtain each existing subscriber's current Registered Location and each new subscriber's initial Registered Location (including, but not limited to, relevant dates and methods of contact with subscribers and a quantification, on a percentage basis, of the number of subscribers from whom the Company has obtained the Registered Location).**

McLeodUSA has obtained each VoIP subscriber's (*i.e.* 100%) Registered Location information since rollout of its VoIP product line to business customers in 2004. As part of internal McLeodUSA requirements, a customer order is *not* processed without Registered Location information.

- 12) A detailed description of the method(s) the Company has offered its subscribers to update their Registered Locations. This information should include a statement as to whether the Company is offering its subscribers at least one option for updating their Registered Location that permits them to use the same equipment that they use to access their interconnected VoIP service.**

McLeodUSA VoIP services are provided via a physical T1 (DS1) connection to a customer location. Only fixed-location (non-nomadic) VoIP services are currently provided to McLeodUSA customers. As a result, Registered Location information does not change without McLeodUSA processing subsequent move orders on behalf of the customers and updating Registered Location information, on behalf of the customer, at that time.

- 13) A detailed description of any technical solutions the Company is implementing or has implemented to ensure that subscribers have access to 911 service whenever they use their service nomadically.**

Not applicable. Please see McLeodUSA's response to Item 12 above.

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- 14) **A description of any automatic detection mechanism that enables the Company to identify when a customer may have moved his or her interconnected VoIP service to a new location and ensure that the customer continues to receive 911 service even when using the interconnected VoIP service nomadically.**

Not applicable. Please see McLeodUSA's response to Item 12 above.

Respectfully submitted,

 *Wendy M. Creeden* 1JRS

Russell M. Blau

Wendy M. Creeden

Counsel for McLeodUSA
Telecommunications Services, Inc.

cc: Byron McCoy (FCC)
Kathy Berthot (FCC)
Janice Myles (FCC)
Best Copy and Printing, Inc.
William Haas (McLeodUSA)

I, William A. Haas, state that I am Associate General Counsel of McLeodUSA Telecommunications Services, Inc.; that I am authorized to submit the forgoing *VoIP E911 Compliance Report* ("*Report*") on behalf of McLeodUSA Telecommunications Services, Inc.; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that the *Report* is true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read "William A. Haas", is written over a horizontal line.

Name: William A. Haas

Title: Associate General Counsel

McLeodUSA Telecommunications Services, Inc.